

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>05-290</u>
	:	
v.	:	DATE FILED: <u>5/17/05</u>
	:	
WILLIAM WALLACE	:	VIOLATIONS:
	:	18 U.S.C. § (371) (conspiracy - 1 count)
	:	18 U.S.C. § 2119
	:	(armed carjacking - 1 count)
	:	18 U.S.C. § 924(c)(1)
	:	(carrying a firearm during and in relation
	:	to a crime of violence - 1 count)
	:	18 U.S.C. §§ 922(g)(1) and 924(e)
	:	(possession of a firearm by a convicted
	:	felon - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. A.V. was the owner of a 1996 Dodge truck, vehicle identification number ("VIN") 1B7HC16XXTS597929, which he parked in the 2200 block of Sargent Street in Philadelphia.
2. On or about November 24, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendant

WILLIAM WALLACE

conspired and agreed with others unknown to the grand jury to take from the person and presence of another, by force, violence, and intimidation, with intent to cause death and serious bodily harm, a motor vehicle, that is, a 1996 Dodge truck, VIN 1B7HC16XXTS597929, that has been

transported, shipped and received in interstate commerce.

MANNER AND MEANS

It was part of the conspiracy that:

3. The defendant WILLIAM WALLACE and others unknown to the grand jury (“the conspirators”) planned to kidnap A.V., to carjack A.V.’s truck, and to steal A.V.’s money at gunpoint.

4. Defendant WILLIAM WALLACE and a coconspirator brandished a shotgun and a handgun during the kidnaping of A.V., the carjacking of A.V.’s car, and the attempted theft of A.V.’s money.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania.

On or about November 24, 2004, at approximately 1:15 a.m:

1. After an unknown conspirator, armed with a shotgun, approached A.V. in the 2200 block of Sargent Street in Philadelphia and told him not to move, defendant WILLIAM WALLACE ran down the street armed with a handgun, put the handgun to A.V.’s back, and also told him not to move.

2. Defendant WILLIAM WALLACE demanded to know where A.V.’s money was, and when A.V. denied having any money, defendant WALLACE and the coconspirator pushed A.V. into his 1996 Dodge truck.

3. Defendant WILLIAM WALLACE got into the driver’s seat of the 1996 Dodge truck, and handed his gun to the coconspirator, who sat in the passenger’s seat, sandwiching A.V.

between them, and began to drive A.V.'s truck.

4. Defendant WILLIAM WALLACE told the coconspirator to keep a gun to A.V.'s head and shoot him if he moved. The coconspirator went through A.V.'s pockets and stole his cell phone and about \$500 in cash.

5. At the direction of defendant WILLIAM WALLACE, the coconspirator continued to point the handgun at A.V.'s head with one hand, and used his other hand to telephone another unknown individual to discuss their plans for A.V.

6. Defendant WILLIAM WALLACE and the coconspirator fled from A.V.'s Dodge truck when A.V. grabbed the steering wheel, forcing the truck to crash.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 24, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

WILLIAM WALLACE,

with intent to cause death and serious bodily harm, at gun point, took, and aided and abetted, and willfully caused the taking of, a motor vehicle, that is, a 1996 Dodge truck, vehicle identification number (“VIN”) 1B7HC16XXTS597929, from the person and presence of another, that is, A.V., by force, violence, and intimidation, that had been transported, shipped, and received in interstate commerce.

In violation of Title 18, United States Code, Sections 2119 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 24, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

WILLIAM WALLACE

knowingly used and carried, and aided and abetted and willfully caused the use and carrying of, a firearm, that is, a 40 caliber Ruger, serial no. 340-66224, loaded with 8 live rounds in the magazine, and a shotgun, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, conspiracy to commit armed carjacking, and armed carjacking, in violation of Title 18, United States Code, Sections 371 and 2119.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 24, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

WILLIAM WALLACE,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce, a firearm, that is, a 40 caliber Ruger, serial no. 340-66224, loaded with 8 live rounds in the magazine.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e) .

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1), set forth in Counts Three and Four of this indictment, the defendant

WILLIAM WALLACE

shall forfeit to the United States of America, the firearm and ammunition involved in the commission of these offenses, including, but not limited to:

1. A 40 caliber Ruger, serial no. 340-66224, loaded with 8 live rounds in the magazine.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY